

REMARKS

Claim 1 is amended to correct a minor grammatical error. In the prior response, claim 1 was amended, with the term “fringes” inadvertently deleted in line 3. This term has simply been reinserted. No new matter is added.

Applicant acknowledges the examiner’s withdrawal of all previous grounds of invention.

In the latest office action, the claims were rejected for obviousness-type double patenting based on co-pending application serial number 10/031,302. In response, applicant submits herewith a terminal disclaimer which is believed to overcome the rejection.

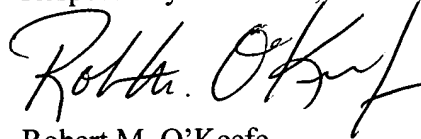
While a terminal disclaimer has been submitted, applicant would like to point out that the examiner appears to have used the wrong standard with respect to obviousness-type double patenting. The examiner stated that the claims were not patentably distinct because the claims of SN 10/031,302 “are broad enough to encompass or include which is recited in the present patent application.” However, applicant’s understanding is that the correct test is whether the claims are obvious variations of one another.

CONCLUSION

It is submitted that all grounds of rejection have been overcome. Favorable reconsideration and prompt notice of allowance is courteously solicited.

No fee is believed to be due; however, should any additional fees under 37 C.F.R. §1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Deposit Account No. 10-1205/ADVA:012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert M. O'Keefe", written in a cursive style.

Robert M. O'Keefe

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